

### **REMARKS**

In response to the Final Office Action mailed June 14, 2005, Applicants respectfully requests reconsideration.

Claims 1-8, 10-22, 24-36, 38-50, 52-65, 67-81 and 83-90 have been examined. By this amendment, Applicants amends claims 1, 15, 29, 43, 44, 59, 74 and 90, and cancels claims 11, 12, 25, 26, 39, 40, 53, 54, 68, 69, 84 and 85 without prejudice or disclaimer. As a result, claims 1-8, 10, 13-22, 24, 27-36, 38, 41-50, 52, 55-65, 67, 70-81, 83 and 86-90 are pending for examination, of which claims 1, 15, 29, 43, 44, 54, 74 and 90 are independent. No new matter has been added.

#### **1. Telephone Interviews**

Applicants and Applicants' representatives appreciate the courtesies extended by Examiner Arani in granting and conducting several telephone interviews over the past few months between himself and Applicants' representative, Daniel P. McLoughlin, commencing with the telephone interview on July 11, 2005.

During the telephone interviews, Examiner Arani proposed that Applicants amend claim 1 by adding to it all of the limitations recited in claims 11 and 12. Applicants' expressed that they did not believe that claim 1 needed to be amended with all of the limitations of claims 11 and 12 to distinguish over the art of record, in particular PCT Application No. WO 99/36848 (Examsoft) in view of U.S. Patent No. 6,266,773 (Kisor). Examiner Arani was not persuaded, but agreed that if claim 1 were so amended, then it would be in condition for allowance, pending the results of a final search.

In the last of the telephone interviews, Examiner Arani confirmed Applicants' understanding from previous telephone interviews that the remaining independent claims 15, 29, 43, 44, 59, 74 and 90 would be in condition for allowance if amended to include limitations corresponding to those recited in claims 11 and 12, pending the results of the final search. Some of these limitations are already recited in claims depending from these remaining independent claims.

Applicants respectfully submit that a final search is not necessitated by the above amendments, which do not raise new issues for consideration or search, but rather, add limitations from previously searched dependent claims into independent claims.

**2. The Claims are in Condition for Allowance**

Independent claims 1, 15, 29, 43, 44, 59, 74 and 90 each stand rejected as purportedly being unpatentable over Examsoft in view of Kisor. Applicants respectfully disagree, but have amended each of these claims as described below to expedite prosecution.

Applicants have amended claim 1 as shown above to include all of the limitations recited in claims 11 and 12. As Examiner Arani agreed, claim 1 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that the rejection of claim 1 under §103(a) be withdrawn. Claims 2-8, 10, 13 and 14 each depend from claim 1 and are patentable for at least the same reasons. Accordingly, Applicants request that the rejections of these claims be withdrawn.

Applicants have amended claim 15 as shown above to include all of the limitations recited in claims 25 and 26. As Examiner Arani agreed, claim 15 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that the rejection of claim 15 under §103(a) be withdrawn. Claims 16-22, 24, 27 and 28 each depend from claim 15 and are patentable for at least the same reasons. Accordingly, Applicants request that the rejections of these claims be withdrawn.

Applicants have amended claim 29 as shown above to include all of the limitations recited in claims 39 and 40. As Examiner Arani agreed, claim 29 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that the rejection of claim 29 under §103(a) be withdrawn. Claims 30-36, 38, 41 and 42 each depend from claim 29 and are patentable for at least the same reasons. Accordingly, Applicants request that the rejections of these claims be withdrawn.

Applicants have amended claim 43 as shown above to include all of the limitations recited in claims 11 and 12. As Examiner Arani agreed, claim 43 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that the rejection of claim 43 under §103(a) be withdrawn.

Applicants have amended claim 44 as shown above to include all of the limitations recited in claims 53 and 54. As Examiner Arani agreed, claim 44 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that

the rejection of claim 44 under §103(a) be withdrawn. Claims 45-50, 52 and 55-58 each depend from claim 44 and are patentable for at least the same reasons. Accordingly, Applicants request that the rejections of these claims be withdrawn.

Applicants have amended claim 59 as shown above to include all of the limitations recited in claims 68 and 69. As Examiner Arani agreed, claim 59 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that the rejection of claim 59 under §103(a) be withdrawn. Claims 60-65, 67, and 70-73 each depend from claim 59 and are patentable for at least the same reasons. Accordingly, Applicants request that the rejections of these claims be withdrawn.

Applicants have amended claim 74 as shown above to include all of the limitations recited in claims 84 and 85. As Examiner Arani agreed, claim 74 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that the rejection of claim 74 under §103(a) be withdrawn. Claims 75-81, 83 and 86-89 each depend from claim 74 and are patentable for at least the same reasons. Accordingly, Applicants request that the rejections of these claims be withdrawn.

Applicants have amended claim 90 as shown above to include all of the limitations recited in claims 53 and 54. As Examiner Arani agreed, claim 90 amended as such patentably distinguishes over Examsoft in view of Kisor. Accordingly, Applicants respectfully request that the rejection of claim 90 under §103(a) be withdrawn.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
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